

NOTE: The governor signed this measure on 3/29/2013.

An Act

HOUSE BILL 13-1027

BY REPRESENTATIVE(S) Conti, Landgraf, McLachlan, Mitsch Bush, Pabon, Priola, Scott, Singer, Swalm;
also SENATOR(S) Tochtrop, Schwartz.

CONCERNING AN INCREASE IN THE TRANSPARENCY OF PROCEEDINGS BEFORE THE PUBLIC UTILITIES COMMISSION BY REQUIRING THE DIRECTOR OF THE COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY REGARDING RECENT ENERGY RATE CASES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 40-2-103 as follows:

40-2-103. Director - duties - report. (1) The executive director of the department of regulatory agencies, pursuant to section 13 of article XII of the state constitution, and with the approval of the commission, shall appoint a director of the commission. The director of the agency shall manage the operations of the agency in order to carry out the public utilities law, to carry out and implement policies, procedures, and decisions made by the commission, as defined in section 40-2-101 (1); and to meet the requirements of the commission concerning any matters within the authority of an agency transferred by a **type 1** transfer, as defined in section

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

24-1-105, C.R.S., and which REQUIREMENTS are under the jurisdiction of the commission. The director ~~shall have~~ HAS all the powers and responsibilities of the division director for this purpose, including the power to issue all necessary process, writs, warrants, and notices. The director ~~shall have~~ HAS the requisite power to serve warrants and other process in any county or city and county of this state and to delegate such actions to duly authorized employees or agents of the agency as appropriate.

(2) (a) BEGINNING WITH THE SECOND REGULAR SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY, THE DIRECTOR OF THE COMMISSION OR THE DIRECTOR'S DESIGNEE SHALL PRESENT AN ANNUAL REPORT TO THE JOINT HOUSE AND SENATE TRANSPORTATION COMMITTEES AND TO THE HOUSE BUSINESS, LABOR, AND ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE AND THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE, OR ANY SUCCESSOR COMMITTEES, REGARDING ENERGY RATE CASES THAT CAME BEFORE THE COMMISSION DURING THE IMMEDIATELY PRECEDING TWO YEARS. THE REPORT AND ANY ACCOMPANYING MATERIALS MAY BE PREPARED AND SUBMITTED TO THE COMMITTEES IN HARD COPY FORM OR ELECTRONICALLY AND MUST INCLUDE A SYNOPSIS, IN PLAIN LANGUAGE, OF THE ISSUES AND THE OUTCOME OF EACH ENERGY UTILITY RATE CASE; THE AMOUNT OF ANY INCREASE OR DECREASE IN RATES THAT RESULTED FROM EACH ENERGY UTILITY RATE CASE, EXPRESSED AS A PERCENTAGE OF THE TOTAL AMOUNT BILLED TO RATEPAYERS PER MONTH AND PER YEAR; AND THE DOLLAR AMOUNT OF THE AVERAGE INCREASE OR DECREASE IN THE MONTHLY BILL PAID BY EACH CLASS OF ENERGY UTILITY RATEPAYERS. IN ADDITION, THE DIRECTOR SHALL MAKE THE PLAIN-LANGUAGE SYNOPSIS AVAILABLE TO THE PUBLIC BY POSTING THE SYNOPSIS ON THE COMMISSION'S WEB SITE.

(b) THE DIRECTOR MAY REPORT ON MATTERS OUTSIDE THE SCOPE OF THE EVIDENCE AND TESTIMONY PRESENTED AT A RATE CASE HEARING.

(c) THE REPORT DESCRIBED IN THIS SUBSECTION (2) MAY BE PRESENTED AT THE SAME TIME AS, AND THE DIRECTOR IS ENCOURAGED TO ACCOMPANY IT WITH, ANY OTHER FORMAL OR INFORMAL REPORT ON THE COMMISSION'S OPERATIONS, INCLUDING A CONSUMER SAVINGS REPORT.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August

7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John P. Morse
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
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APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO